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ADMITTED IN N.Y. AND N.J.

July 14, 2017

VIA ECF

Honorable Richard M. Berman
United States District Judge
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

RE: UNITED STATES V. REZA ZARRAB, ET AL.,
S3 15 Cr. 867 (RMB)

Dear Judge Berman:

As your Honor is aware, I represent the Defendant REZA ZARRAB in the above-captioned matter.

I am writing to your Honor at this time to respectfully request a one month adjournment of the trial date from October 30, 2017 to December 11, 2017, or a date thereafter convenient to the Court.

At present, I am engaged on trial before the Honorable Kiyo A. Matsumoto in the case of United States of America v. Martin Shkreli, 15 Cr. 637 (KAM). That trial, which began on June 26th 2017, was originally predicted to last approximately 3-4 weeks. Later, that period was extended by at least 2 weeks. It is now anticipated that the trial will conclude in early to mid-August. As a result, our trial preparation for Mr. Zarrab has been set back by at least two full weeks.

In addition, as the Court may be aware, Mr. Zarrab was confined to the Special Housing Unit (SHU) in the MCC for 21 days without explanation or the filing of any formal charges. No reason was provided for Mr. Zarrab's detention beyond being told that it was for a non-descript "SIS Investigation." He was not afforded a hearing or any other notice of the substantive reasons for the investigation. Throughout that period in the SHU, Mr. Zarrab was not provided with any of the extensive legal files he maintained in his possession throughout the period of his 15 months of incarceration. Subsequently, and without any advance notice, Mr. Zarrab was transferred to the MDC

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in Brooklyn where he is now detained. For the period of approximately five weeks since being transferred to the MDC, Mr. Zarrab has again been denied access to his personal legal files which substantially hinder his ability to have meaningful prep sessions with any of his attorneys. Indeed, from what Mr. Zarrab understands, these legal materials have not yet been transferred to the MDC. Accordingly, all counsel for Mr. Zarrab are substantially behind in their trial preparation and the additional 6 week adjournment is very much needed if we are to proceed to trial fully prepared.

We have conferred with the Government and they do not consent to this application. Finally, we have also conferred with Victor Rocco counsel for Mehmet Hakan Atilla, Mr. Zarab's co-defendant, who also does not consent to this application.

Thank you for the courtesy that your Honor has always extended to counsel in this and all matters.

Respectfully,

A handwritten signature in black ink, appearing to read "Ben Brafman", with a long horizontal stroke extending to the right.

Benjamin Brafman

cc: All counsel of record (by ECF)